

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY ZAPPIN,

Plaintiff,

– *against* –

MATTHEW F. COOPER, KEVIN M.
DOYLE, LAUREN LIEBHAUSER,
HANNAH YU, and, JANE DOE,

Defendants.

ORDER

20 Civ. 2669 (ER)

RAMOS, D.J.:

Anthony Zappin filed the instant suit on March 31, 2020. Doc. 1. On November 18, 2020, Zappin filed his First Amended Complaint as a matter of course. Doc. 33. On January 11, 2021, Defendants moved to dismiss the First Amended Complaint, and Defendant Matthew F. Cooper also moved to strike part of the First Amended Complaint. Docs. 40 and 41. At a pre-motion conference on May 5, 2021, the Court granted Zappin leave to move to amend the Complaint again and set a briefing schedule. On May 26, 2021, Zappin filed his motion for leave to amend the First Amended Complaint, along with his proposed Second Amended Complaint. Doc. 71. On June 29, 2021, Zappin sought leave to file a corrected proposed Second Amended Complaint in connection with his motion, adding a single paragraph purporting to itemize special damages, and Defendants consented to that request. Docs. 80, 82, and 87.

In light of Zappin's pending motion for leave to file a Second Amended Complaint, the Court DENIES as moot Defendants' motions to dismiss and strike portions of the First Amended Complaint. The Clerk of Court is respectfully directed to terminate the motions. Docs. 40, 41, and 80.

It is SO ORDERED.

Dated: July 14, 2021
New York, New York



EDGARDO RAMOS, U.S.D.J.